

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

RONALD JORDAN,

Plaintiff,

File No. 2:08-CV-261

v.

HON. ROBERT HOLMES BELL

PATRICIA CARUSO, et. al,

Defendants.

---

**O R D E R**

For the reasons stated in the opinion entered this date,

**IT IS HEREBY ORDERED THAT** the Report and Recommendation of the Magistrate Judge (Dkt. No. 103) is **APPROVED IN PART**, and **REJECTED IN PART** with respect to the disposition of the pending motions.

**IT IS FURTHER ORDERED THAT** Plaintiff's motion to amend the complaint (Dkt. No. 74) is **GRANTED**. The proposed amended complaint (Dkt. No. 74, Attach. 1) is allowed. Laura Heinritz, Peggy Carberry, and Bradley Haynie are added as parties to this case (Count IV).

**IT IS FURTHER ORDERED THAT** Plaintiff's motion for partial summary judgment (Dkt. No 88) is **DENIED**.

**IT IS FURTHER ORDERED THAT** the motion for summary judgment filed by Defendant Lynne Phillipson (Dkt. No. 97) is **GRANTED**, and the motion for summary judgment filed by the other Defendants (Dkt. No. 67) is **GRANTED IN PART** and **DENIED IN PART**, as follows:

With respect to the group-worship claim in Count I of the amended complaint:

- Defendant Patricia Caruso is **DISMISSED WITH PREJUDICE**.
- **PARTIAL JUDGMENT** is awarded in favor of the remaining Defendants (David Bergh and Gerald Riley).

With respect the Sabbath-work claim in Count I of the amended complaint:

- Defendant Caruso is **DISMISSED WITH PREJUDICE**.
- Defendants Schroeder and Bergh remain as parties.

Count II of the amended complaint is **DISMISSED WITH PREJUDICE**.

Count II A of the amended complaint is **DISMISSED WITH PREJUDICE**.

With respect to Count III of the amended complaint:

- Defendant Caruso is **DISMISSED WITH PREJUDICE**.
- **PARTIAL JUDGMENT** is awarded in favor of the remaining Defendants (Debra Olger, Denver McBurney, and Jeffrey Contreras).

With respect to Count IV of the amended complaint:

- Defendant Caruso is **DISMISSED WITH PREJUDICE**.

- **PARTIAL JUDGMENT** is awarded in favor of Defendants Ann Barsch, James Alexander, and Lynne Phillipson.
- Defendants Denver McBurney, Scott Schooley, Christopher Crysler, and Cherie Konrad are **DISMISSED WITHOUT PREJUDICE**.
- **PARTIAL JUDGMENT** is awarded in favor of all Defendants with respect to Plaintiff's claim that Defendants engaged in a conspiracy to discriminate against him.
- Defendants Govern, Niemi, Laitinen, and Niemisto remain as parties to Count IV, in addition to the newly-added parties, Heinritz, Haynie, and Carberry.

Dated: August 10, 2010

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE